



U.S. Department of Justice

*United States Attorney
District of Maryland*

*Jane E. Andersen
Assistant United States Attorney
Jane.Andersen@usdoj.gov*

*Suite 400
36 S. Charles Street
Baltimore, MD 21201-3119*

*DIRECT: 410-209-4892
MAIN: 410-209-4800
FAX: 410-962-2310*

March 17, 2017

VIA ECF

Honorable George Jarrod Hazel
United States District Judge
United States District Court, District of Maryland
6500 Cherrywood Lane
Greenbelt, Maryland 20770

Re: Robinson v. Pennsylvania Higher Education Assistance, et al. 15 CV 0079(GJH)

Dear Judge Hazel:

I am an Assistant United States Attorney, assigned to represent the United States Department of Education (ED) in the above-referenced matter. I am writing to apprise the Court of a decision from the United States District Court for the District of Montana that was issued after the ED's motion to dismiss for lack of subject matter jurisdiction was fully submitted. In *Daniel v. Nat'l Park Serv.*, 16-cv-18, 2016 U.S. Dist. LEXIS 109199, 11-12, 2016 WL 4401369 (D. Mont. 2016), the Court held that the Fair Credit Reporting Act does not waive the United States' sovereign immunity. The case is currently on appeal before the United States Court of Appeals for the Ninth Circuit, Docket No. 16-35689.

Respectfully Submitted,

Rod J. Rosenstein
United States Attorney

/s
Jane E. Andersen
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 17, 2017 I caused a copy of the forgoing letter to be served on all parties by filing this document with the Clerk of the Court under the Court's CM/ECF system, which electronically transmits a copy to the registered participants as identified on the Notice of Electronic Filing.

 /s/
Jane E. Andersen
Assistant United States Attorney